

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Labour Employment Training & Factories Department. – Insurance Medical Services - Department of Publication & Press, Osmania University, Hyderabad - Grant of exemption to the employees from E.S.I. coverage under Section 88 read with 90 of E.S.I. Act, 1948 – Rejected – Orders - Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (IMS) DEPARTMENT

G.O.Rt.No. 648

Dated:17.05.2010.

Read the following:-

1. G.O.Rt.No.679, HM&FW Department, dt.05.05.1992
2. From the Hon'ble High Court of A.P., W.P.No. 5492/2006, dated 20.03.2006.
2. From the DIMS., Lr.Rc.No.12628/P1/2008, dated: 11.03.2010.

ORDER:

In the reference 1st read above, Government have issued orders exempting Osmania University, Hyderabad from the purview of E.S.I. Act, for the period from 01.04.1960 to 31.03.1993. Thereafter, the Registrar, Osmania University approached the Government for grant of permanent exemption from 01.04.1993 onwards. The matter was placed before the Standing Committee for Exemptions and the committee rejected their request. The Government informed Registrar, Osmania University, Hyderabad, that the Government has rejected the request of Osmania University, Hyderabad for grant of exemption on permanent basis with effect from 1993 onwards in view of the observations of the Standing Committee for Exemptions that the Osmania University is situated within the limits of twin cities of Hyderabad and Secunderabad and their employees can avail the medical facilities provided by E.S.I. at any E.S.I. Dispensary in Hyderabad and Secunderabad.

2. The Registrar, Osmania University, Hyderabad have filed W.P in No.5492/2006 requesting the Hon'ble High Court to direct the respondent No.1 i.e Govt. of A.P. to grant the permanent exemption to the Dept. of Publication and Press of the Osmania University on par with A.P.Govt. Text Book Press, Hyderabad. The Government have filed Counter Affidavit in W.P No.5492/2008 in Hon'ble High Court on 18.11.2006 with a request to dismiss the W.P with costs.

3. In the reference 3rd read above, the Director of Insurance Medical Services, AP., Hyderabad has stated that the Exemption Committee in its meeting held on 08.03.2010, the committee unanimously found that the benefits and its scale are neither similar nor superior to the benefits as per the provisions of the Act. The Committee, therefore, unanimously recommended for not to grant exemption.

4. Government, after careful examination of the recommendations of the Standing Committee for Exemptions, have decided to reject the request of the Department of Publication & Press, Osmania University, Hyderabad for exemption of the employees from the coverage of ESI Act with permanent basis w.e.f 01.04.1993 under Section 88 read with 90 of the ESI Act, as the medical care and other facilities claimed to have been provided by the employer to the employees of this group are inferior to the medical care and other facilities provided under the ESI Act, 1948.

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5. The Director of Insurance Medical Services,AP., Hyderabad is requested to take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA RADESH)

BHANWAR LAL
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director of Insurance Medical Services,AP., Hyderabad

Copy to: The Registrar, Osmania University, Hyderabad

The Regional Director, ESI Corporation, Hill Fort Road, Hyderabad.

Sf/Sc

Copy to PA to Deputy Secretary, LET&F Dept.

// Forwarded by order//

SECTION OFFICER